

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

MARLA CONSULTING CORP.  
et al.,

X

MEMORANDUM AND ORDER

Plaintiffs,

CV 06-3362

-against-

(Wexler, J.)

SUNTRUST BANK,

Defendant.

X

APPEARANCES:

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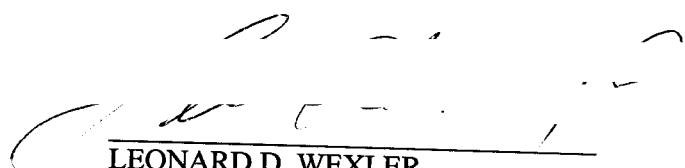
WEXLER, District Judge

Defendant in this action has filed an unopposed motion to dismiss. Defendants have recently informed the court that in the event that the court grants the unopposed motion, Defendant will agree to dismissal, with prejudice, of its counterclaim.

In light of the foregoing, the court grants the defendant's unopposed motion to dismiss and dismisses the counterclaim with prejudice.

The Clerk of the Court is directed to terminate all motions and to close the file in this matter.

SO ORDERED.

  
LEONARD D. WEXLER  
UNITED STATES DISTRICT JUDGE

Dated: Central Islip, New York  
May 16, 2007